

## **REMARKS**

Claims 31-59 are all the claims pending in the application.

Applicants note that a number of editorial amendments have been made to the specification and abstract for grammatical and general readability purposes. Due to the number of changes made, a substitute specification and abstract are submitted herewith. No new matter has been added. Also enclosed is a marked-up copy of the original specification and abstract showing the changes incorporated into the substitute specification and abstract.

### **I. Objections to the Specification**

The Examiner has objected to the specification and abstract for the reasons set forth on page 1 of the Office Action. Applicants have amended the specification and abstract in a manner to overcome these objections. Accordingly, Applicants kindly request that the Examiner reconsider and withdraw the objections to the specification.

### **II. Claim Objection**

Claim 39 has been objected to due to a minor informality. Applicants have amended claim 39 as suggested by the Examiner so as to change “high-moving” to --high-speed moving--, thereby overcoming the objection. Accordingly, Applicants kindly request that the Examiner reconsider and withdraw the objection to the claims.

### **III. Claim Rejections under 35 U.S.C. § 101**

Claim 59 has been rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Applicants have amended claim 59 as suggested by the Examiner so as to overcome this rejection. Accordingly, Applicants respectfully request that the rejection be reconsidered and withdrawn.

### **IV. Claim Rejections under 35 U.S.C. § 112, first and second paragraphs**

Claims 31-59 have been rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the enablement requirement, and claim 43 has been rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Applicants have amended claims 31-59 in a manner to overcome this rejection.

For example, in claim 53, Applicants note that the term “Units” has been replaced with the term --components--, thereby avoiding any confusion with other features recited in the claims. In addition, regarding the use of the phrase “radio wave”, in order to improve the clarity of the claims, Applicants have changed the phrase “radio wave” to --radio waves-- throughout the claims. Applicants respectfully submit that the use of the phrase “radio waves” would clearly be understood by one of ordinary skill in the art to describe a form of communication.

Further, regarding claim 59, Applicants note that this claim has been amended such that the claim is now drawn to a “computer readable medium having embodied thereon a computer program...”. Applicants respectfully submit that the features recited in claim 59 would be understood by those of ordinary skill in the art, and that such features are fully supported by the specification.

Moreover, regarding claim 43, Applicants note that this claim has been amended so as to clarify the “characteristic table” recited therein. In particular, claim 43 now recites “a characteristic table in which the running position of said high-speed moving objects corresponds to the output strength of the radio waves.” Accordingly, Applicants submit that claim 43 is in compliance with the requirements of 35 U.S.C. 112, second paragraph.

In view of the foregoing, Applicants kindly request that the above-noted rejections under 35 U.S.C. 112, first and second paragraphs be reconsidered and withdrawn.

#### **V. Claim Rejections under 35 U.S.C. § 102**

Claims 54, 55 and 58 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Asanuma (US 5,983,113).

Claim 54, as amended, is drawn to a high-speed moving object that moves along a predetermined path of movement, the high-speed moving object including a first communication unit operable to transmit the image data captured by an image capturing unit over radio waves of a first frequency, when control data indicating a transmission timing is received from any one of a plurality of base stations installed along the predetermined path of movement of the high-speed moving object over radio waves of the first frequency; and a second communication unit operable to transmit the image data captured by the image capturing unit over radio waves of a second frequency, when control data indicating a transmission timing is received from the base stations over radio waves of the second frequency. Applicants respectfully submit that Asanuma does not disclose or suggest the above-noted combination of features recited in amended claim 54.

Regarding Asanuma, Applicants note that this reference discloses a CDMA mobile communication system which includes a plurality of base stations (BS1, BS2, ...), a plurality of mobile stations (PS1, PS2, PS3, ...), and a control station (CS), wherein the base stations are connected to the control station via cable lines (CL1, CL2) (see Fig. 1 and col. 4, lines 57-67).

As explained in Asanuma, when an origination call or a terminating call related to the mobile stations (PS1 to PS3) is generated, a pilot signal is exchanged between the mobile stations (PS1 to PS3) and the base station (BS1) before the start of communication, which triggers a synchronization establishing operation (see col. 6, lines 62-66). At such a time, the base station (BS1) allocates a channel to each of the mobile stations PS1 to PS3 (e.g., channels ch1, ch2, and ch3 are allocated to the mobile stations PS1, PS2 and PS3, respectively) (see col. 6, line 66 to col. 7, line 5).

Based on the signals transmitted by the mobile stations PS1 to PS3, the base station BS1 is able to generate initial timing control information which is transmitted to the mobile stations (see col. 7, lines 6-13). After receiving the timing control information, the mobile stations PS1 to PS3 set the amount of delay in the delay circuit, which enables each of the mobile stations PS1 to PS3 to start transmission with a different timing (see col. 7, lines 13-18 and 24-28). For example, as shown in Fig. 5A, first the mobile station PS2 starts transmission, and at designated points later in time, the mobile stations PS1 and PS3 start transmission (see col. 7, lines 28-33).

In this regard, as explained in Asanuma, the amount of delay of the transmission timing is set by the initial timing control information transmitted from the base station BS1 (see col. 7, lines 35-40). By setting the delay as described above, it is possible for each of the signals transmitted from the mobile stations PS1 to PS3 in Asanuma to be received at the base station

BS1 in the state where no phase difference takes place between the orthogonal codes at the base station BS1, thereby eliminating inter-channel interference which occurs between the signals transmitted from the mobile stations PS1 to PS3 (see col. 7, lines 40-47).

Thus, in Asanuma, the base stations are responsible for transmitting timing control information to the mobile stations, wherein the mobile stations respectfully adjust the start of data transmission such that no inter-channel interference occurs between the signals transmitted from the mobile stations to the base station.

As noted above, claim 54 is drawn to a high-speed moving object that moves along a predetermined path of movement, the high-speed moving object including a first communication unit operable to transmit the image data captured by an image capturing unit over radio waves of a first frequency, when control data indicating a transmission timing is received from any one of a plurality of base stations installed along the predetermined path of movement of the high-speed moving object over radio waves of the first frequency; and a second communication unit operable to transmit the image data captured by the image capturing unit over radio waves of a second frequency, when control data indicating a transmission timing is received from the base stations over radio waves of the second frequency.

First, with respect to the above-noted feature drawn to the “predetermined path”, Applicants note that the mobile stations (e.g., PS1 to PS3) of Asanuma do not move along a predetermined path, and that the base stations of Asanuma are not installed along a predetermined path of the mobile stations (e.g., PS1 to PS3). As such, Applicants respectfully submit that Asanuma does not disclose or suggest the above-noted combination of features recited in amended claim 1.

Second, with respect to the above-noted features drawn to the first and second communication units that are operable to transmit image data over radio waves of a first frequency and second frequency, respectively, Applicants note that in the Office Action, the Examiner has indicated that the down link channel shown in Fig. 4 of Asanuma corresponds to the “first communication unit”, and that the uplink channel shown in Fig. 4 of Asanuma corresponds to the “second communication unit”. Regarding such a position, Applicants point out to the Examiner that the downlink channel shown in Fig. 4 is for transmission from the base station to the mobile station. Thus, because the mobile stations in Asanuma receive data on the down link channel from the base station, Applicants note that the down link channel shown in Fig. 4 of Asanuma is clearly not a “first communication unit” of the mobile station that is able to transmit data.

Third, with respect to the above-noted features drawn to the first communication unit being operable to transmit image data over radio waves of a first frequency when control data is received from a base station over radio waves of a first frequency, and the second communication unit being operable to transmit image data over radio waves of a second frequency when control data is received from a base station over radio waves of a second frequency, Applicants note that while Asanuma discloses the ability for a base station to transmit timing control information to the mobile units (see col. 7, lines 11-13), that Asanuma does not disclose or suggest that the timing control information is sent over different frequencies.

In view of the foregoing, Applicants respectfully submit that Asanuma does not disclose, suggest or otherwise render obvious at least the above-noted combination of features recited in amended claim 54 of a high-speed moving object that moves along a predetermined path of

movement, the high-speed moving object including a first communication unit operable to transmit the image data captured by an image capturing unit over radio waves of a first frequency, when control data indicating a transmission timing is received from any one of a plurality of base stations installed along the predetermined path of movement of the high-speed moving object over radio waves of the first frequency; and a second communication unit operable to transmit the image data captured by the image capturing unit over radio waves of a second frequency, when control data indicating a transmission timing is received from the base stations over radio waves of the second frequency.

Accordingly, Applicants submit that claim 54 is patentable over Asanuma, an indication of which is kindly requested.

Regarding claim 55, Applicants note that this claim has been amended to recite that a base station which relays image data transmitted between a high-speed moving object that moves along a predetermined path of movement and a control center is one of a plurality of first base stations and a plurality of second base stations, said first and second base stations being installed alternately along the predetermined path of movement of the high-speed moving object, wherein each of the first base stations includes a first communication unit operable to transmit control data indicating a transmission timing over radio waves of a first frequency at predetermined time intervals, and to receive the image data transmitted from said high-speed moving object over radio waves of the first frequency and transmit the image data to said control center via a network, and wherein each of the second base stations includes a second communication unit operable to transmit control data indicating a transmission timing over radio waves of a second frequency at predetermined time intervals, and to receive the image data transmitted from said

high-speed moving object over radio waves of the second frequency and transmit the image data to said control center via the network.

With respect to the above-noted features recited in claim 55 drawn a plurality of first and second base stations that are installed alternately along the predetermined path of movement of the high-speed moving object, with the first base stations including a first communication unit that transmits over radio waves of a first frequency, and the second base stations including a second communication unit that transmits over radio waves of a second frequency. Applicants respectfully submit that Asanuma does not disclose or in any way suggest such a feature.

In particular, Applicants note that while the communication system of Asanuma includes a plurality of base stations (e.g., BS1 and BS2) for communicating with the mobile stations, that such base stations are not separated into first base stations that transmit over radio waves of a first frequency and second base stations that transmit over radio waves of a second frequency. Moreover, Applicants note that the base stations of Asanuma are not arranged such that first base stations (which transmit using a first frequency) and second base stations (which transmit over a second frequency) are installed alternately along a predetermined path of movement of the mobile stations.

In view of the foregoing, Applicants respectfully submit that Asanuma does not disclose, suggest or otherwise render obvious the above-noted combination of features recited in amended claim 55. Accordingly, Applicants submit that claim 55 is patentable over Asanuma, an indication of which is kindly requested.

Regarding claim 58, Applicants note that this claim has been amended to recite that a construction method of a wireless communication area for constructing the wireless



communication area where image data transmitted from a high-speed moving object that moves along a predetermined path of movement can be received includes alternately arranging, along the predetermined path of movement of the high-speed moving object, a plurality of first wireless communication areas where image data transmitted over radio waves of a first frequency can be received and a plurality of second wireless communication areas where image data transmitted over radio waves of a second frequency can be received, so that the areas are partly overlapped.

For at least similar reasons as discussed above with respect to claims 54 and 55, Applicants respectfully submit that Asanuma does not disclose, suggest or otherwise render obvious the above-noted features recited in claim 58. Accordingly, Applicants submit that claim 58 is patentable over Asanuma, an indication of which is kindly requested.

## **VI. Claim Rejections under 35 U.S.C. § 103(a)**

A. Claims 31, 39-41, 56 and 57 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Asanuma (US 5,983,113) in view of Hamlin (US 6,907,241).

Claim 31, as amended, recites the features of a plurality of first base stations and a plurality of second base stations, said first and second base stations being installed alternately along the predetermined path of movement of said high-speed moving object, wherein each of said first base stations includes a first communication unit operable to transmit control data indicating a transmission timing over radio waves of a first frequency at predetermined time intervals, and to receive the image data transmitted from said high-speed moving object over radio waves of the first frequency and transmit the image data to said control center via a

network, and wherein each said second base stations includes a second communication unit operable to transmit control data indicating a transmission timing over radio waves of a second frequency at predetermined time intervals, and to receive the image data transmitted from said high-speed moving object over radio waves of the second frequency and transmit the image data to said control center via the network.

For at least similar reasons as discussed above with respect to claims 54 and 55, Applicants respectfully submit that Asanuma does not disclose, suggest or otherwise render obvious the above-noted features recited in claim 31. In addition, Applicants submit that Hamlin does not cure this deficiency of Asanuma.

Further, Applicants note that claim 31 has also been amended to recite the feature of a selection unit operable to select one image data from a plurality of image data, when from among the received image data, the plurality of image data have been captured at the same time by the same one of said image capturing units.

Regarding the above-noted feature, Applicants note that the Examiner has recognized in the Office Action that Asanuma does not disclose or suggest the use of a “selection unit”. With respect to Hamlin, Applicants note that this reference discloses the use of aircraft 2 that have the ability to acquire images, and to transmit such images to ground based units (see col. 2, lines 51-66). With respect to the ground based units, Hamlin discloses that a second ground based unit is able to select images from the recorded electronic image signals according to the narrow bandwidth signals received from a first ground based unit (see col. 1, line 66 through col. 2, line 3).

Based on the foregoing description of Hamlin, Applicants note that while Hamlin discloses the ability for a ground based unit to select images according to received narrow bandwidth signals, that such an ability does not correspond to the above-noted feature recited in amended claim 31 of a selection unit operable to select one image data from a plurality of image data, when from among the received image data, the plurality of image data have been captured at the same time by the same one of said image capturing units.

In view of the foregoing, Applicants respectfully submit that Asanuma and Hamlin do not disclose, suggest or otherwise render obvious at least the above-noted combination of features recited in amended claim 31. Accordingly, Applicants submit that claim 31 is patentable over the cited prior art, an indication of which is kindly requested. Claim 39 depends from claim 31 and is therefore considered patentable at least by virtue of its dependency.

Regarding 40, Applicants note that this claim has been amended to recite the features of a plurality of first base stations and a plurality of second base stations, said first and second base stations being installed alternately along the predetermined path of movement of said high-speed moving object, wherein each of said first base stations includes a first communication unit operable to transmit data to and receive data from said high-speed moving object over radio waves of a first frequency, and to transmit data to and receive data from said control center via a network, wherein each of said second base stations includes a second communication unit operable to transmit data to and receive data from said high-speed moving object over radio waves of a second frequency, and to transmit data to and receive data from said control center via the network, and wherein the control center includes a selection unit operable to select one data from a plurality of data, when from among the received data, the plurality of data have the

same information.

For at least similar reasons as discussed above with respect to claims 31, 54 and 55, Applicants respectfully submit that Asanuma and Hamlin do not disclose, suggest or otherwise render obvious the above-noted features recited in claim 40. Accordingly, Applicants submit that claim 40 is patentable over the cited prior art, an indication of which is kindly requested. Claim 41 depends from claim 40 and is therefore considered patentable at least by virtue of its dependency.

Regarding claim 56, Applicants note that this claim has been amended so as to be drawn to a control center which manages a condition of a high-speed moving object that moves along a predetermined path of movement, the control center including a communication unit operable to receive image data which is captured by one of a plurality of image capturing units included in the high-speed moving object and transmitted from the high-speed moving object via a plurality of base stations installed along the predetermined path of movement of the high-speed moving object; and a selection unit operable to select one image data from a plurality of image data, when from among the image data, the plurality of image data have been captured at the same time by the same one of the image capturing units.

For at least similar reasons as discussed above with respect to claims 31, 54 and 55, Applicants respectfully submit that Asanuma and Hamlin do not disclose, suggest or otherwise render obvious the above-noted features recited in claim 56. Accordingly, Applicants submit that claim 56 is patentable over the cited prior art, an indication of which is kindly requested.

Regarding claim 57, Applicants note that this claim has been amended so as to be drawn to a radio transmission method for a high-speed moving object, in which image data is

transmitted between the high-speed moving object that moves along a predetermined path of movement and a control center that manages a condition of the high-speed moving object via a plurality of first base stations and a plurality of second base stations, the first and second base stations being installed alternately along the predetermined path of movement of the high-speed moving object, the radio transmission method comprising in the first base station, a first communication step of transmitting control data indicating a transmission timing over radio waves of a first frequency at predetermined time intervals, in the second base station a second communication step of transmitting control data indicating a transmission timing over radio waves of a second frequency at predetermined time intervals; in the high-speed moving object, a first communication step of transmitting the image data captured by the image capturing unit over radio waves of the first frequency, when the control data is received from the first base station over radio waves of the first frequency, and a second communication step of transmitting the image data captured by the image capturing unit over radio waves of the second frequency, when the control data is received from the second base station over radio waves of the second frequency; and in the control center, a selection step of selecting one image data from a plurality of image data, when from among the image data, the plurality of image data have been captured at the same time by the same one of the image capturing units.

For at least similar reasons as discussed above with respect to claims 31, 54 and 55, Applicants respectfully submit that Asanuma and Hamlin do not disclose, suggest or otherwise render obvious the above-noted features recited in claim 57. Accordingly, Applicants submit that claim 57 is patentable over the cited prior art, an indication of which is kindly requested.

B. Claims 37 and 38 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Asanuma (US 5,983,113) and Hamlin (US 6,907,241), and further in view of Haoui (US 5,742,640).

Claims 37 and 38 depend from claim 31. Applicants respectfully submit that Haoui does not cure the deficiencies of Asanuma and Hamlin, as discussed above, with respect to claim 31. Accordingly, Applicants submit that claims 37 and 38 are patentable at least by virtue of their dependency.

C. Claim 42 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Asanuma (US 5,983,113) and Hamlin (US 6,907,241), and further in view of Li (Southeastcon 2000 Proceedings of the IEEE).

Claim 42 depends from claim 40. Applicants respectfully submit that Li does not cure the deficiencies of Asanuma and Hamlin, as discussed above, with respect to claim 40. Accordingly, Applicants submit that claim 42 is patentable at least by virtue of their dependency.

D. Claims 45-52 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Asanuma (US 5,983,113) and Hamlin (US 6,907,241), and further in view of McGowan (US 2002/0072393).

Claim 45, as amended, is drawn to radio transmission system comprising a plurality of base stations arranged along the predetermined path of movement of said high-speed moving object, wherein said high-speed moving object includes a first communication unit operable to transmit and receive data over radio waves of the first frequency; a second communication unit

operable to transmit and receive data over radio waves of the second frequency; and wherein said control center includes a selection unit operable to select one data from a plurality of data, when from among the received data, the plurality of data have the same information.

For at least similar reasons as discussed above with respect to claims 31, 54 and 55, Applicants respectfully submit that Asanuma and Hamlin do not disclose, suggest or otherwise render obvious the above-noted features recited in claim 45. Further, Applicants submit that McGowan does not cure the deficiencies of Asanuma and Hamlin. Accordingly, Applicants submit that claim 45 is patentable over the cited prior art, an indication of which is kindly requested.

Claim 46, as amended, is drawn to a radio transmission system comprising a plurality of base stations arranged along the predetermined path of movement of said high-speed moving object, wherein said high-speed moving object includes a first communication unit operable to transmit and receive data over radio waves of the first frequency; a second communication unit operable to transmit and receive data over radio waves of the second frequency; and wherein the control center includes a selection unit operable to select one data from a plurality of data when from among the received data, the plurality of data have the same information.

For at least similar reasons as discussed above with respect to claims 31, 54 and 55, Applicants respectfully submit that Asanuma and Hamlin do not disclose, suggest or otherwise render obvious the above-noted features recited in claim 46. Further, Applicants submit that McGowan does not cure the deficiencies of Asanuma and Hamlin. Accordingly, Applicants submit that claim 46 is patentable over the cited prior art, an indication of which is kindly requested.

Claim 47, as amended, is drawn to a radio transmission system for a high-speed moving object comprising a plurality of first base stations and a plurality of second base stations, said first and second base stations being installed alternately along the predetermined path of movement of said high-speed moving object, wherein said high-speed moving object includes a first communication unit operable to transmit the data over radio waves of a corresponding frequency in the first frequency and the third frequency, when the control data is received over radio waves of one of the first frequency and the third frequency, and a second communication unit operable to transmit the data over radio waves of a corresponding frequency in the fourth frequency and the second frequency, when the control data is received over radio waves of one of the fourth frequency and the second frequency; and wherein the control center includes a selection unit operable to select one data of a plurality of data, when from among the received data, the plurality of data have the same information.

For at least similar reasons as discussed above with respect to claims 31, 54 and 55, Applicants respectfully submit that Asanuma and Hamlin do not disclose, suggest or otherwise render obvious the above-noted features recited in claim 47. Further, Applicants submit that McGowan does not cure the deficiencies of Asanuma and Hamlin. Accordingly, Applicants submit that claim 47 is patentable over the cited prior art, an indication of which is kindly requested.

Claim 48, as amended, is drawn to radio transmission system comprising a plurality of first base stations and a plurality of second base stations, said first and second base stations being installed alternately along the predetermined path of movement of said high-speed moving object, wherein said high-speed moving object includes a first communication unit operable to



transmit the data over radio waves of the first frequency, when the control data is received over radio waves of the first frequency; a second communication unit operable to transmit the data over radio waves of the second frequency, when the control data is received over radio waves of the second frequency; a third communication unit operable to transmit the data over radio waves of the third frequency, when the control data is received over radio waves of the third frequency; and a fourth communication unit operable to transmit the data over radio waves of the fourth frequency, when the control data is received over radio waves of the fourth frequency; and wherein said control center includes a selection unit operable to select one data from a plurality of data, when from among the received data, the plurality of data have the same information.

For at least similar reasons as discussed above with respect to claims 31, 54 and 55, Applicants respectfully submit that Asanuma and Hamlin do not disclose, suggest or otherwise render obvious the above-noted features recited in claim 48. Further, Applicants submit that McGowan does not cure the deficiencies of Asanuma and Hamlin. Accordingly, Applicants submit that claim 48 is patentable over the cited prior art, an indication of which is kindly requested. Claims 49-52 depend from claim 48 and are therefore considered patentable at least by virtue of their dependency.

E. Claims 32-36 and 39 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Asanuma (US 5,983,113) in view of Hamlin (US 6,907,241), and further in view of Monroe (US 2004/0008253).

Claims 32-36 and 39 depend from claim 31. Applicants respectfully submit that Monroe does not cure the deficiencies of Asanuma and Hamlin, as discussed above, with respect to claim

31. Accordingly, Applicants submit that claims 32-36 and 39 are patentable at least by virtue of their dependency.

F. Claims 43 and 44 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Asanuma (US 5,983,113) in view of Hamlin (US 6,907,241), and further in view of Sawada (US 2003/0143997).

Regarding claim 43, Applicants note that this claim depends from claim 40. Applicants respectfully submit that Sawada does not cure the deficiencies of Asanuma and Hamlin, as discussed above, with respect to claim 40. Accordingly, Applicants submit that claim 43 is patentable at least by virtue of its dependency.

Claim 44, as amended, is drawn to a radio transmission system comprising a plurality of first base stations and a plurality of second base stations, said first and second base stations being installed alternately along the predetermined path of movement of said high-speed moving object, wherein each of said first base stations includes a first communication unit operable to transmit data to and receive data from said high-speed moving object over radio waves of a first frequency, wherein each of said second base stations includes a second communication unit operable to transmit data to and receive data from said high-speed moving object over radio waves of a second frequency, wherein said high-speed moving object includes a first communication unit operable to transmit and receive data over radio waves of the first frequency and a second communication unit operable to transmit and receive data over radio waves of the second frequency, and wherein said control center includes a selection unit operable to select one data from a plurality of data, when from among the received data, the plurality of data have the

same information.

For at least similar reasons as discussed above with respect to claims 31, 54 and 55, Applicants respectfully submit that Asanuma and Hamlin do not disclose, suggest or otherwise render obvious the above-noted features recited in claim 44. Further, Applicants submit that Sawada does not cure the deficiencies of Asanuma and Hamlin. Accordingly, Applicants submit that claim 44 is patentable over the cited prior art, an indication of which is kindly requested.

## **VII. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may best be resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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